

Permit No.: IDS-02756-1  
Application No.: IDS-02756-1

United States Environmental Protection Agency  
Region 10  
1200 Sixth Avenue  
Seattle, Washington 98101  
206/553-0523

AUTHORIZATION TO DISCHARGE UNDER THE  
NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM

In compliance with the provisions of the Clean Water Act, 33 U.S.C. § 1251 et seq., as amended by the Water Quality Act of 1987, P.L. 100-4 (the “CWA”),

THE CITY OF BOISE, THE ADA COUNTY HIGHWAY DISTRICT, BOISE STATE  
UNIVERSITY, THE IDAHO STATE DEPARTMENT OF TRANSPORTATION DISTRICT 3,  
DRAINAGE DISTRICT #3, AND THE CITY OF GARDEN CITY  
(hereinafter “permitted entities”)

are authorized to discharge from all municipal separate storm sewer system outfalls existing as of the effective date of this permit, to the Boise River and its tributaries in accordance with the conditions set forth herein.

This permit shall become effective

This permit and the authorization to discharge shall expire at midnight,

Signed this       day of

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Randall F. Smith, Director  
Office of Water, Region 10  
U.S. Environmental Protection Agency

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## **PART I. DISCHARGES AUTHORIZED UNDER THIS PERMIT**

- A. PERMIT AREA.** This permit covers all areas within the corporate boundaries of **Boise, Idaho and Garden City, Idaho** served by, or otherwise contributing to discharges from, municipal separate storm sewer systems (MS4) owned or operated by the permitted entities listed in Part I.C.
- B. AUTHORIZED DISCHARGES.** This permit authorizes all existing or new storm water discharges to waters of the United States from the MS4 subject to the limitations of this permit. This permit also authorizes the discharge of storm water which has commingled with other flows including process wastewater and storm water associated with industrial activity, provided each such other flow is authorized under a separate NPDES permit.
- C. PERMITTED ENTITIES.**

CITY OF BOISE  
CITY OF GARDEN CITY  
ADA COUNTY HIGHWAY DISTRICT (ACHD)  
BOISE STATE UNIVERSITY  
IDAHO STATE DEPARTMENT OF TRANSPORTATION DISTRICT 3  
DRAINAGE DISTRICT #3 (DD#3)

1. Except as described in Part I.C.2., the permitted entities' obligations to comply with the terms and conditions of this permit shall be joint and several.
2. Each permitted entity shall be individually obligated (and the remaining permitted entities shall not be obligated) to comply with those terms or conditions of this permit which:
  - a. relate exclusively to discharges from portions of the MS4 owned or operated solely by that permitted entity;
  - b. are identified in this permit as being the obligation of a single, named permitted entity; or
  - c. have been identified in Appendix A as being the lead or (co-lead) responsibility of that permitted entity.

## **PART II. STORM WATER MANAGEMENT PROGRAM**

Each permitted entity shall implement a Storm Water Management Program (SWMP) designed to limit, to the Maximum Extent Practicable (MEP), the discharge of pollutants to and from that portion of the MS4 owned, operated, or utilized by that permitted entity. Each permitted entity shall implement the SWMP in accordance with the schedule contained in Part III of the permit.

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## A. COMPONENTS OF STORM WATER MANAGEMENT PROGRAM.

1. *Structural Controls:* Each permitted entity shall operate and maintain any storm water structural controls for which it is the owner or operator, in a manner so as to reduce the discharge of pollutants to the MEP.
  - a. Design Manuals. Permitted entities shall develop and finalize design manuals incorporating Best Management Practices (BMPs) as follows. The January 1997 Boise Storm Water Best Management Practices (BMP) Guidebook, June 1999 City of Boise Storm Water Management Design Manual, and the December 1999 ACHD Development Policy Manual shall be finalized. The design practices shall be incorporated into permitted entities' design, maintenance, and operation of all existing and future controls. The design manuals shall be based on sound engineering practices and shall utilize methodologies to control the addition of pollutants to storm water runoff to the MEP. Permitted entities shall finalize the design manuals **no later than one year from effective date of the permit**, and shall comply with the manuals' operation and maintenance criteria thereafter.
  - b. Operation and Maintenance Program. Permitted entities shall develop and implement an operation and maintenance program, to include the following:
    - c Definitive inspection and maintenance schedule for all permitted entity-owned structural controls which includes the frequency of routine inspections
    - c Maintenance program shall establish guidelines and criteria for maintenance activities that are to be implemented for permitted entity-owned structural controls, as well as a description of the maintenance activities required such as "disposal of sediment" and "removal of debris."
    - c A description of the inspection, operation, and maintenance of storm water retention facilities owned/operated by permitted entities.The program shall incorporate measures, such as the monitoring of retention basin outfalls, to evaluate the effectiveness of the proposed operation and maintenance program. Such measures shall be selected by the permitted entities, and a justification included in the program as to why they were chosen. The program shall ensure that permitted entities maintain drainage controls and structures to ensure that they operate as designed, and remove pollutants from storm water to the MEP. Such structures include, but are not limited to: grates, basins, irrigation boxes, sediment tanks, skimmer boxes, drains, and pipes. The entire program shall be developed, and its implementation begun, **no later than one year from effective date of the permit**.
  - c. Inspection and Maintenance Record Keeping. Each permitted entity that owns or operates structural controls shall maintain an internal record-keeping system to track inspections and maintenance for those portions of the MS4 operated by the permitted entity. The record keeping system shall be in place and operable **within one year from effective date of the permit**. A joint record keeping system to track activity undertaken by two or more permitted entities is allowable under this Part of the permit.

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- d. Annual Report. Copies of the design manuals shall be included in the first annual report of this permit term. Any revisions or additions to the manual shall be reported to the address in Section IV.G, along with the reason why the manual was altered, in the first annual report after such changes occurred. Permitted entities shall include with the first annual report a copy of the operations and maintenance program, including a maintenance schedule, for all structural controls owned or operated by permitted entities. Each permitted entity that has carried out inspections and maintenance activities shall submit a summary of such activity with each annual report. The summary shall include information on the number of structures cleaned, the number of hours dedicated to such cleaning, etc. designed to convey the level of effort expended in maintenance operations. Permitted entities shall also provide a summary of any data collected as part of the evaluation of the retention facilities as described above.
2. *Floatables*: The permitted entities shall ensure the establishment of a program to reduce the discharge of floatables (e.g., litter and other human-generated solid refuse). The floatables control program shall include source controls and, where necessary, structural controls.
    - a. Awareness and local authority cooperation. The permitted entities shall incorporate into their public education program information designed to reduce the amount of floatables which can end up in the storm sewer system. The permitted entities shall work with other authorities charged with enforcing litter control, and incorporate information on the existence of fines, penalties etc., for violation of such ordinances into any distribution of public education materials (which can be undertaken in conjunction with II.A.11.a). Each permitted entity shall provide, collect, and maintain litter receptacles in strategic public areas, and during major public events.
    - b. Adopt-a-Highway Program. Permitted entities shall implement the Adopt-a-Highway program, to facilitate litter removal from selected highways four times a year.
    - c. Operation and Maintenance Program. Each permitted entity shall ensure that the streets are swept according to the following schedule:
      - c residential areas three times per year
      - c commercial areas four times per year
      - c arterial streets six times per year
      - c central business district 11 times per yearPermitted entities shall compile a report on the sweeping activity, and assess the above levels of effort in each of the designated land use type areas with respect to the mitigation of contribution of pollutants from the highways and other public areas that are maintained. The report shall be completed **within 18 months of the effective date of the permit**.

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- d. Annual Report. Permitted entities shall include in the annual report any cooperative efforts undertaken with other authorities charged with enforcing litter control, etc., Permitted entities shall report the number of road miles that have been swept, by land use type and the present any interim results from the evaluation of the road sweeping program. Permitted entities shall record and present statistics from the Adopt-a-Highway program as a measure of its effectiveness, and possible application on other permitted entity-maintained streets and roadways.
3. *Areas of New Development and Significant Redevelopment:* Permitted entities shall adopt and utilize a comprehensive master planning process to develop, implement, and enforce controls to reduce the discharge of pollutants to the MEP from areas of new development and significant redevelopment.
- a. Use of Guidebooks and Manuals. Permitted entities shall ensure that the January 1997 City of Boise Storm Water Best Management Practices (BMP) Guidebook is used, and its requirements followed, by developers and contractors and others involved in land development activities, to ensure that minimum requirements, standards, and procedures are applied before, during, and after land development activities. In addition to the above Guidebook, permitted entities shall ensure that developers and contractors, and others involved in land development activity, comply with the requirement to have in place Operation and Maintenance plans at the time of permitting for storm water facilities on new private development and redevelopment (includes residential, commercial and industrial land uses). Also, permitted entities shall ensure compliance with the standards set forth in other design manuals such as the June 1999 City of Boise Storm Water Management Design Manual, or the December 1999 ACHD Development Policy Manual.
  - b. Project review. Project review and approval procedures shall be developed that include the ability to conduct inspections and follow-up after construction to ensure that approved Operation and Maintenance plans are being followed. Implementation of these procedures shall begin **within one year from the effective date of the permit.**
  - c. Record keeping. Permitted entities shall develop and maintain an internal record keeping system to track all activity on project review and approval actions. This activity shall be completed and implemented within **two years from the effective date of the permit.**
  - d. Annual Report. The City of Boise shall include a copy of the Storm Water Best Management Practice (BMP) Guidebook in its first annual report submission. Permitted entities shall provide evidence in the form of meeting minutes, etc., as to participation in meetings to ensure consistent application of such development standards, to the extent allowed under law. Project review and approval procedures for new development and significant redevelopment shall also be submitted as part of the first annual report. A summary of each permitted entities previous year's recordkeeping activity shall be provided in each annual report.

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4. *Roadways:* Each permitted entity shall operate and maintain public streets, roads, and highways under its jurisdiction in a manner so as to reduce to the MEP the discharge of pollutants including those related to deicing or sanding activities.
  - a. *Management Practices.* Permitted entities shall implement management practices identified during the inventory of permitted entity-owned storm water facilities and audit of site activities undertaken as part of the application for the MS4 Permit. Permitted entities shall include within this component a program to evaluate ways to reduce pollutant discharges associated with road maintenance and rehabilitation operations. Permitted entities shall complete the evaluation **within one year of the effective date of the permit**, and submit the proposed program to the EPA for review.
  - b. *Snow and Ice Control and Removal Programs.* Permitted entities shall monitor the application of chemicals and sand applied to roadways for snow and ice control. Permitted entities shall implement programs for proper storage of de-icing materials to prevent materials from entering the storm sewer system (e.g., using covers or roofs for stockpiled materials), and research alternatives to salt for use in de-icing.
  - c. *Annual Report.* Permitted entities shall report activity undertaken with regard to the roadway requirements of the permit. In addition, permitted entities shall report the amount (in appropriate units) of chemicals applied to roads as part of the snow and ice control program.
5. *Flood Control Projects:* Each permitted entity shall ensure that any flood management projects it undertakes include an assessment of the impacts on receiving water quality. Permitted entities shall also evaluate the feasibility of retro-fitting existing structural flood control devices to provide additional pollutant removal from storm water.
  - a. *Inventory of Flood Control Facilities.* **Within one year of the effective date of the permit**, permitted entities shall complete an inventory of all flood control facilities within their jurisdictions to determine the feasibility of retrofitting existing drainage and flood control facilities (e.g., storm sewer inlets, detention basins, drainage channels) to function as water quality facilities. Permitted entities shall consider retrofits such as installation of in-line sediment trap devices, detention facilities or wetlands/riparian vegetation. **Within two years of the effective date of the permit**, all such facilities shall have been evaluated for opportunities for retrofitting to provide additional pollutant removal. Such as evaluation should be carried out in conjunction with the sediment analysis component of section IV. B. of this permit.
  - b. *Annual Report.* In the first annual report, permitted entities shall provide a list of all flood control facilities within their jurisdictions. Demonstration of compliance with the requirement to assess all such facilities for opportunities for retrofitting to provide additional pollutant removal shall be by inclusion of a detailed annotated list of all such facilities in the second annual report of the permit term.

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6. *Pesticide, Herbicide, and Fertilizer Application:* Each permitted entity shall implement controls to reduce to the MEP the discharge of pollutants related to the application of pesticides, herbicides, and fertilizers applied by the permitted entity's employees or contractors to public right of ways, parks, and other municipal facilities. Permitted entities with jurisdiction over lands not directly owned by that entity (e.g., private lands within an incorporated city) shall implement controls to reduce the discharge of pollutants related to application and distribution of pesticides, herbicides, and fertilizers by commercial and wholesale distributors and applicators.
- a. Application Management. Permitted entities shall develop a list of regionally appropriate landscaping plants and turf with recommended fertilizer and pesticide application rates. Permitted entities shall establish planting/landscape policies which encourage use of vegetation (either indigenous or imported) that is self sustainable without the need for pesticides or fertilizers. This task shall be completed **no later than 6 months after the effective date of the permit**.
  - b. Distribution of Educational Materials. Permitted entities shall distribute educational materials to, and provide education and training for, all contracted applicators. This task shall be completed **within 18 months of the effective date of the permit**.
  - c. Outreach Method Identification. Permitted entities shall identify and utilize outreach methods to educate homeowners and commercial businesses, such as greenhouses, nurseries, landscaping and yard-care businesses, on the impact of pesticides, herbicides, and fertilizers on aquatic resources and on the means to decrease their usage. Such information shall include alternatives to the use of such chemicals. Permitted entities shall incorporate information on the correct disposal of chemical pesticides, herbicides, and fertilizers after they have been used. Permitted entities may undertake this component of the storm water management plan as part of the overall public education component, identified in II.A.11.a.
  - d. Annual Report. Permitted entities shall include a copy of materials developed in conjunction with this program component. Permitted entities shall report on the distribution of information to contracted applicators and report on the number of operatives that have received training in the program initiatives.
7. *Illicit Discharges and Improper Disposal:* Each permitted entity shall implement an ongoing program to detect and remove (or require the discharger to the MS4 to remove or obtain a separate NPDES permit for) illicit discharges and improper disposal into the MS4. Each permitted entity shall effectively prohibit non-storm water discharges to the MS4, other than those authorized under a separate NPDES permit. Unless identified by any permitted entity, the State, or the Water Office Director, as sources of pollutants to waters of the United States, the following non-storm water discharges need not be addressed by permitted entity's illicit discharge and improper disposal program:
- c water line flushing;
  - c landscape irrigation;
  - c diverted stream flows;
  - c rising ground waters;

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- C uncontaminated ground water infiltration (as defined at 40 CFR 35.2005(20)) to separate storm sewers;
- C uncontaminated pumped ground water;
- C discharges from potable water sources;
- C foundation drains;
- C air conditioning condensate;
- C irrigation water;
- C springs;
- C water from crawl space pumps;
- C footing drains;
- C lawn watering;
- C individual residential car washing;
- C flows from riparian habitats and wetlands;
- C de-chlorinated swimming pool discharges;
- C street wash waters.

Discharges and flows from emergency fire fighting activities need not be addressed by permitted entity's illicit discharge and improper disposal program unless such discharges and flows are determined by any permitted entity, the State, or the Water Office Director, as significant sources of pollutants to waters of the United States. Each permitted entity shall prevent (or require the owner or operator of the sanitary sewer to eliminate) unpermitted discharges of dry and wet weather overflows from sanitary sewers into the MS4. Each permitted entity shall limit the infiltration of seepage from sanitary sewers into the MS4. Each permitted entity shall prohibit the discharge or disposal of used motor vehicle fluids, household hazardous wastes, grass clippings, leaf litter, and animal wastes into the MS4. The permitted entities shall ensure the implementation of a program to collect used motor vehicle fluids and household hazardous waste materials (including, at a minimum, oil, antifreeze, paint, solvents, pesticides, herbicides, and other hazardous materials) for recycle, reuse, or proper disposal. Collection at individual residences shall be available, unless a program, readily available to private residents, is approved by the Water Office Director. This program shall be publicized and promoted on a regular basis (**at least annually**).

- a. Inspection and Enforcement. Permitted entities shall work together to implement the program to inspect and enforce against illicit connections, based on the Boise City Inspection and Enforcement Manual, the Boise City Stormwater Investigation Manual, and the December 1998 ACHD Stormwater Investigation Manual. Permitted entities shall use the results of existing and on-going dry-weather screening and citizen reports as the primary basis for locating illicit discharges. Permitted entities shall ensure that an appropriate number of personnel receive training in the detection of illicit connections. The program shall include a requirement to inventory, within **6 months of the effective date of the permit**, all major outfalls within the jurisdictions of the permitted entities. Permitted entities shall inspect 20% of the major outfalls per permit year, totaling 100% of outfalls by the conclusion of the first permit term. If illicit connections are identified/detected, permitted entities shall require their disconnection.

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- b. Storm Water Management and Discharge Control Ordinance Enforcement. Permitted entities shall ensure that Chapters 8-15 of the Storm Water Management and Discharge Control Ordinance (adopted by the City of Boise January 1995) and Title 4, Chapter 14, Ordinances for Stormwater Management and Discharge Control (adopted by Garden City on September 14, 1999) are enforced. The ordinance includes requirements to mitigate contribution of pollutants to storm water for commercial and industrial facilities, residential areas, and construction sites, prohibitions on illegal dumping and illicit discharges. Each permitted entity shall require the elimination of illicit connections as expeditiously as possible and the immediate cessation of improper disposal practices upon identification of responsible parties. Where elimination of an illicit connection within seven (7) days is not possible, the permitted entity shall require an expeditious schedule for removal of the discharge. In the interim, the permitted entity shall require the owner or operator of the illicit connection to take all reasonable and prudent measures to minimize the discharge of pollutants to the MS4.
  - c. Revision to the Storm Water Management and Discharge Control Ordinance. Permitted entities shall adopt a revision to the ordinance to include the City of Boise's new design standards (Storm Water BMP Guidebook). This adoption shall be finalized **no later than one year from the effective date of the permit**.
  - d. Complaint Procedures. Permitted entities shall also implement the previously developed City of Boise and Ada County Stormwater Investigation Manuals to guide staff through recording, investigating and following up on complaints regarding violations of the ordinance reported by the general public. Permitted entities shall publicize the availability of a complaints "hotline" and post notices informing the public of the existence of such resources. Permitted entities shall utilize appropriately trained staff in operating such a complaint response program. A program incorporating all such initiatives shall be in place and operational within **one year from the effective date of the permit**.
  - e. Household Hazardous Substances Collection. Permitted entities shall operate the collection services for household hazardous substances and used motor oil as outlined in the public education section of the storm water management of this permit.
  - f. Annual Report. Permitted entities shall submit the list of major outfalls compiled during the inventory **within 6 months of the effective date of the permit**. Permitted entities shall report the progress of the inspection and enforcement program to eliminate illicit connections to the storm sewer system. The annual report shall include a summary of activities carried out under this initiative, including the number of outfalls/inspections undertaken, results of such inspections, and follow-up actions taken.
8. *Spill Prevention and Response:* Permitted entities shall implement a program to prevent, contain, and respond to spills that may discharge into the MS4. The spill response program may include a combination of spill response actions by the permitted entity (and/or another public or private entity), and legal requirements for private entities within the permitted entity's municipal jurisdiction.

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- a. Spill Response Task Group. Permitted entities shall participate in an interagency spill response task group, such as the Boise City Fire Department Task Group, to ensure that a coordinated response to spills is achieved and that impacts upon aquatic resources from spilled pollutants are controlled to the MEP. As part of this activity, permitted entities shall provide educational materials and outreach to operators of industrial and commercial activity that have a potential to spill liquid and solid wastes during transportation of such materials. If participation does not already occur, permitted entities shall begin participation **within one year of the effective date of the permit**.
  - b. Annual Report. Permitted entities shall report on activity undertaken in compliance with this component of the storm water management plan, such as meetings attended, meeting notes, and copies of any cooperative agreements listing the responsibilities of relevant parties.
9. *Industrial & High Risk Runoff*: Permitted entities shall implement a program to identify, monitor, and control pollutants in storm water discharges to the MS4 from the following sources:
- c municipal landfills;
  - c hazardous waste treatment, storage, disposal and recovery facilities and facilities that are subject to Section 313 of the Emergency Planning and Community Right to Know Act (EPCRA, 42 U.S.C. §11023); and
  - c any other industrial or commercial discharge the permitted entity determines is contributing a substantial pollutant loading to the MS4.
- The program shall include:
- c priorities and procedures for inspections and establishing and implementing control measures for such discharges; and
  - c a monitoring (or self-monitoring) program for facilities identified under this section, including the collection of quantitative data on the following constituents: Any pollutants limited in an existing NPDES permit for an identified facility; oil and grease; chemical oxygen demand (COD); pH; five-day biochemical oxygen demand (BOD<sub>5</sub>); total suspended solids (TSS); total phosphorous; total Kjeldahl nitrogen (TKN); nitrate plus nitrite nitrogen; and any information on discharges required under 40 CFR 122.21(g)(7)(iii) and (iv). Data collected by the industrial facility to satisfy the monitoring requirements of an NPDES or State discharge permit may be used to satisfy this requirement. Permitted entities may require the industrial facility to conduct self-monitoring to satisfy this requirement.
- a. Database of Facilities. Permitted entities shall develop and maintain a database of priority industrial sites based on the above criteria. The database shall contain information on the primary economic activity conducted at the site (characterized by Standard Industrial Classification (SIC) code), the location of the facility, and a summary of the facility's storm water management plan and permit requirements.
  - b. Inspection and Monitoring of High Risk Facilities. Permitted entities shall work together to inspect and monitor such facilities for compliance with the storm water ordinance and the NPDES industrial storm water general permit.

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- c. Educational Materials. The storm water Commercial and Industrial Best Management Practices Handbook, developed by the City of Boise Public Works, shall be distributed with pretreatment inspections by the City of Boise Pretreatment Department as well as when requested.
  - d. Coordination with City Pretreatment Program. Permitted entities shall meet with representatives of the City of Boise pretreatment inspection program to formalize, develop, and implement, an inspection program of such industrial and commercial facilities in conjunction with pretreatment inspections. The agreement shall be based on a binding memorandum of understanding (MOU), or its equivalent, to ensure that the program is carried out as devised. The agreement shall be finalized **no later than one year from the effective date of the permit**. The inspection and monitoring program shall include provisions to record observations of a facility, report findings to the inspected facility, follow up with the facility if necessary, and exercise legal authority to issue notices of violations, fines, etc., as and when appropriate. All activity regarding the monitoring and inspection of such facilities shall be maintained in the centralized database described above.
  - e. Annual Report. A copy of the agreement/MOU shall be included in the first annual report. Compliance with this permit requirement shall be measured by inclusion in the first annual report of a listing derived from the industrial and commercial priority database. Any activity that has taken place at the facility, such as monitoring or inspection, issuance of citations, etc., shall be annotated against the basic information on the facility.
10. *Construction Site Runoff*: Permitted entities shall implement a program to reduce to the MEP the discharge of pollutants from constructions sites, including:
- c requirements for the use and maintenance of appropriate structural and nonstructural best management practices to reduce pollutants discharged to the MS4 during the time construction is underway;
  - c procedures for site planning which incorporate considerations for potential short and long term water quality impacts and which minimize these impacts;
  - c prioritized inspection of construction sites and enforcement of control measures;
  - c appropriate education and training measures for construction site operators; and
  - c notification of appropriate building permit applicants of their potential responsibilities under the NPDES permitting program for construction site runoff.
- a. Construction Site Discharge Control Program. Permitted entities shall implement the Construction Site Discharge Control Program. The program shall contain elements to control the contribution of pollutants from construction site activity to the MEP. The program shall require the owner or operator of the development site to prepare, and submit for approval, Erosion and Sediment Control (ESC) plans for construction within the boundaries of the permitted entity's jurisdiction. Permitted entities shall implement procedures for site plan review that incorporate consideration of potential water quality impacts from such construction sites. Approved ESC plans shall require BMPs and shall contain provisions addressing material containment, spill prevention, and other practices as applicable. Initiatives such as outreach and educational activities for construction site planners, developers, builders and operators shall be

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included in the implementation of the program. Such activities must extend to all construction activity within the municipality and all construction sites, regardless of size or ownership.

- b. **Inspection and Compliance.** Permitted entities shall conduct inspections of construction sites to ensure compliance with the measures outlined in II.A.10(a). Permitted entities shall undertake enforcement measures against those operators of sites in violation of the measures in II.A.10(a), including the issuance of notices of violation and stop work orders.
- c. **Database and Record Keeping.** Permitted entities shall develop and maintain a database of all active and completed construction sites permitted within their jurisdiction and completed during the term of this permit. Such a database shall contain basic information regarding the nature of the construction activity, size of land clearing and grading activities, and contact information on the contractor and/or developer.
- d. **Annual Report.** Each annual report shall include the following: the number of site plans that were reviewed, the number that passed review and the number that required revision prior to passing review; the number of inspections carried out summarized by month or other similar calendar-based total; the number of citations, notice-of-violations, or stop-work-orders issued by permitted entities; the type and number of educational materials distributed by permitted entities; the outreach events that representatives of permitted entities attended in order to disseminate information regarding the purpose of the program; and a summary of information compiled in the database of all active and completed construction activity.

11. *Public Education:* Permitted entities shall implement a public education program as follows:

- a. **Public Education Program.** The program shall inform the public of the impact of pollutants in storm water on natural water systems, and how to avoid adding such pollutants to storm water runoff. The public education plan shall include the following activities:
  - (1) the distribution of public education information flyers, inserts, or booklets to householders regarding the correct use and disposal of household hazardous chemical substances and products, and used motor oil and similar substances, and to publicize the existence, whereabouts, opening hours, etc. of the household hazardous waste collection facilities;
  - (2) Permitted entities shall stencil storm water inlets and drains to make the public aware of where the drains discharge;
  - (3) A continuation of “Water Awareness Week” to explain the importance of maintaining clean water resources to school teachers and students and the “adopt-a-Creek” program;
  - (4) Permitted entities shall promote the collection and/or composting of yard wastes from residential and commercial sites. Permitted entities shall promote the “Keep watershed clean” campaign and shall distribute copies of flyers previously developed, including but not limited to, the Storm Water Ordinance (developed by the City of Boise), RiverCare Tips to Protect Water Quality (developed by the

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City of Boise), and the Storm Water Trooper bookmark (developed by the City of Boise);

- (5) Permitted entities shall distribute the Storm Water Commercial and Industrial BMPs handbook to commercial and industrial facilities identified as priorities due to the nature of the industrial and commercial activities to be found at such sites. Permitted entities shall make available the Storm Water Landscapes booklet to other facilities and make developers and contractors aware of the existence of such information; and
  - (6) Permitted entities shall document the complaints received from the general public regarding violations to the storm water ordinance, and the permitted entities' response to complaints.
- b. Annual Report. The annual report shall include data on the following:
- c the number and type of flyers, inserts, or booklets distributed to householders regarding household hazardous chemical substances and products;
  - c the amount (lbs, or number of canisters, etc) and type (toxic, reactive, ignitable, corrosive) of substances collected by permitted entities at the household hazardous waste collection facilities;
  - c the amount (in gallons) of used motor oil collected; the number of storm water inlets and drains stenciled during the year;
  - c the number of students and teachers attending "Water Awareness Week;"
  - c the amount (cubic yards) of yard wastes collected from residential and commercial sites;
  - c the number of flyers distributed including, but not limited to, the Storm Water Ordinance, RiverCare Tips, and the Storm Water Trooper bookmark;
  - c the number of Storm Water Commercial and Industrial BMPs handbooks distributed to commercial and industrial facilities;
  - c the number of Storm Water Landscapes booklet distributed to other facilities, and a list of developers and contractors receiving such information; and
  - c a list derived from a database, or similar record keeping procedure, that documents the complaints received regarding violations to the storm water ordinance, to include detail on what follow up was taken, and the resolution of the original complaint.

The annual report shall include a description of who the target audience was for the distribution of the educational flyers, booklets, etc., and why they were chosen.

- B. DEADLINES FOR PROGRAM COMPLIANCE.** Except as provided in Part III, compliance with the SWMP shall be required **30 days from the effective date** of the permit.
- C. LEGAL AUTHORITY.** Each permitted entity shall ensure that it retains legal authority to control discharges to and from those portions the MS4 over which it has jurisdiction. This legal authority may be a combination of statute, ordinance, permit, contract, order or inter-jurisdictional agreements with permitted entities with existing legal authority to:

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1. Control the contribution of pollutants to the MS4 by storm water discharges associated with industrial activity and the quality of storm water discharged from sites of industrial activity;
2. Prohibit illicit discharges to the MS4;
3. Control the discharge of spills and the dumping or disposal of materials other than storm water (e.g., industrial and commercial wastes, trash, used motor vehicle fluids, leaf litter, grass clippings, animal wastes, etc.) into the MS4;
4. Control through interagency or inter-jurisdictional agreements among permitted entities the contribution of pollutants from one portion of the MS4 to another;
5. Require compliance with conditions in ordinances, permits, contracts or orders; and
6. Carry out all inspection, surveillance and monitoring procedures necessary to determine compliance with permit conditions.

**D. STORM WATER MANAGEMENT PROGRAM RESOURCES.** Each permitted entity shall provide adequate finances, staff, equipment, and support capabilities to implement the SWMP as described in Part II. A.

**E. STORM WATER MANAGEMENT PROGRAM MODIFICATION.** Only those portions of the SWMP specifically required as permit conditions shall be subject to the modification requirements of 40 CFR §§ 122.62, 122.63 and 124.5. Addition of the following components, controls, or requirements by Permittees shall be considered minor changes to the Storm Water Management Program and not modifications to the Permit: replacement of an ineffective or infeasible BMP; implementing a requirement of the SWMP with an alternate BMP expected to achieve the goals of the original BMP; and changes required as a result of schedules contained in Part III of this Permit.

**F. COOPERATIVE AGREEMENT.** Permitted entities shall draft an enforceable Cooperative Agreement and submit it to EPA for approval **no later than three months from the effective date of this permit**. This Cooperative Agreement shall identify the roles and responsibilities of the permitted entities under this permit and shall be signed by all permitted entities and entered into within **one month** of written or verbal approval from EPA.

**PART III. SCHEDULES FOR IMPLEMENTATION OF STORM WATER MANAGEMENT PROGRAM.** The permitted entities shall implement the complete SWMP described in Parts II.A.1 through 11. Table III.A contains an outline of the SWMP including the date by which the specific component must be initiated, developed, implemented, or reported upon. Permit Year 1 shall begin on the effective date of this permit. Modifications to the SWMP shall be consistent with Part II.E. of this permit.

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<b>TABLE III.A.</b> <b>Storm Water Management Program — Schedules for Implementation and Compliance</b>	
<b>STORM WATER MANAGEMENT PROGRAM COMPONENT</b>	<b>COMPLIANCE DATE</b>
<b>STRUCTURAL CONTROLS (II.A. 1)</b>	
(a) Permitted entities shall finalize the City of Boise Storm Water Management Design Manual and the December 1999 ACHD Development Policy Manual.	— Within one year of the effective date of the permit.
(b) Operation and Maintenance program. Permitted entities shall develop and implement an inspection and maintenance program to include schedules of planned and actual inspection and maintenance activity on all structural controls owned or operated by permitted entities.	— The program shall be developed within one year of the effective date of the permit. The program shall be implemented throughout the remainder of the effective date of the permit.
(c) Inspection and Maintenance record keeping. Permitted entities shall develop and utilize a record tracking system to record all inspection and maintenance activity with regard to the inspection and maintenance of structural controls carried out in compliance of II.A.1.(b).	— The record keeping system shall be operative within one year of the effective date of the permit. All inspection and maintenance activity undertaken during the effective date of the permit shall be recorded using the record keeping system. A summary of all activity undertaken during the year proceeding the annual report shall be included in the next annual report.
<b>FLOATABLES (II.A.2)</b>	
(a) Awareness and local authority co-operation. Permitted entities shall work with other non-permitted authorities charged with litter control, including those involved with the provision of litter receptacles, the collection of their contents, and the maintenance of the receptacles in strategic public areas, to include those in use at major public events.	— Upon the effective date of the permit
(b) Adopt-a-highway program. Permitted entities shall support and promote the adopt-a-highway program.	— Upon the effective date of the permit.
(c) Operation and maintenance program. Permitted entities shall evaluate the effectiveness of the current level of road-sweeping activity on preventing pollutants from entering the storm sewer system.	— Within 18 months of the effective date of the permit.

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<b>TABLE III.A.</b> <b>Storm Water Management Program — Schedules for Implementation and Compliance</b>	
<b>STORM WATER MANAGEMENT PROGRAM COMPONENT</b>	<b>COMPLIANCE DATE</b>
<b>AREAS OF DEVELOPMENT AND SIGNIFICANT REDEVELOPMENT (II.A.3)</b>	
<p>(a) Design Practice Manuals. Permitted entities shall ensure that new development and significant re-development projects, designed by developers and contractors and others involved in land development activities, apply minimum requirements, standards, and procedures as detailed in the City of Boise Storm Water Best Management Practices Guidebook, both during and after such land development activities.</p> <p>(b) Project review. Project review and approval process for new development and significant re-development shall be developed and adopted.</p> <p>(c) Record Keeping. Permitted entities shall develop and maintain an internal record keeping system to track all activity on project review and approval actions.</p>	<p>— Upon the effective date of the permit.</p> <p>— Implemented within one year of the effective date of the permit.</p> <p>— System to be completed within one year of the effective date of the permit. Use of system to begin in year 2 of permit, with a summary of previous year's activity to be included in the annual reports for years 2 through 5.</p>
<b>ROADWAYS (II.A.4)</b>	
<p>(a) Management Practices. Permitted entities shall include within this component a program to evaluate ways to reduce pollutant discharges associated with road maintenance and rehabilitation operations.</p> <p>(b) Snow and Ice Control and Removal Programs. Permitted entities shall monitor the application of chemicals and sand applied to roadways for snow and ice control, and incorporate program initiatives outlined in OM 5. Permitted entities shall implement programs for proper storage of de-icing materials to prevent materials from entering the storm sewer system (e.g., using covers or roofs for stockpiled materials). Research alternatives to salt for use in de-icing.</p>	<p>— Program evaluation to be developed within one year of the effective date of the permit. Program to be submitted for review to the address in Section IV.G for review.</p> <p>— Upon the effective date of the permit. Permitted entities shall report on all activity undertaken in the previous year, in each annual report.</p>

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<b>TABLE III.A.</b> <b>Storm Water Management Program — Schedules for Implementation and Compliance</b>	
STORM WATER MANAGEMENT PROGRAM COMPONENT	COMPLIANCE DATE
<b>FLOOD CONTROL (II.A.5)</b>	
(a) Inventory of flood control facilities. Permitted entities shall complete an inventory of all flood control facilities within their jurisdiction to determine the feasibility of retrofitting existing drainage and flood control facilities to function as water quality facilities.	— Within one year of the effective date of the permit.
All such facilities shall have been evaluated for opportunities for retrofitting to provide additional pollutant removal.	— Within two years of the effective date of the permit
<b>PESTICIDES, HERBICIDES, AND FERTILIZER APPLICATION (II.A.6)</b>	
(a) Application Management. Permitted entities shall develop a list of regionally appropriate landscaping plants and turf with recommended fertilizer and pesticide application rates.	— To be completed no later than 6 months after the effective date of the permit.
(b) Distribution of Educational Materials. Permitted entities shall distribute educational materials to, and provide education and training for, applicators contracted by the city.	— This task shall be completed within 18 months of the effective date of the permit.
(c) Outreach Method Identification. Permitted entities shall identify and utilize outreach methods to educate homeowners, and commercial businesses, on the impact of pesticides, herbicides, and fertilizers on aquatic resources, and means to decrease their usage.	— To be reported on annual report.
<b>ILLICIT DISCHARGES AND IMPROPER DISPOSAL (II.A.7)</b>	
(a) Inspection and Enforcement. Permitted entities shall work together to implement the program to inspect and enforce against illicit connections, including dry-weather screening, citizen reports, and employee training in the detection of illicit connections. If illicit connections are observed, permitted entities shall require their disconnection. The program shall inspect 20% of the known major outfalls per permit year, totaling 100% of outfalls by the conclusion of the first permit term.	— Upon the effective date of the permit.
The permitted entities shall inventory all major outfalls within their jurisdiction.	— Within 6 months of the effective date of the permit.

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**TABLE III.A.**  
**Storm Water Management Program — Schedules for Implementation and Compliance**

<b>STORM WATER MANAGEMENT PROGRAM COMPONENT</b>	<b>COMPLIANCE DATE</b>
(b) Storm Water Management and Discharge Control Ordinance Enforcement. Permitted entities shall enforce the Storm Water Management and Discharge Control Ordinance (Chapter 8–15), adopted January 1995.	— Upon the effective date of the permit.
(c) Revision to the Storm Water Management and Discharge Control Ordinance. Permitted entities shall adopt a revision to the ordinance to include the city’s new design standards (Storm Water BMP Guidebook).	— Within one year of the effective date of the permit.
(d) Complaint Procedures. Permitted entities shall also implement the previously developed complaint manual to guide staff through recording, investigating and following up on complaints regarding violations of the ordinance reported by the general public. Permitted entities shall publicize the availability of a complaints “hotline” and post notices informing the public of the existence of such resources. Permitted entities shall utilize appropriately trained staff in operating such a complaint response program.	— A program incorporating all such initiatives shall be in place and operational within one year from the effective date of the permit.
(e) Household Hazardous Substances Collection. Permitted entities shall operate the collection services for household hazardous substances and used motor oil.	— Upon the effective date of the permit.
<b>SPILL PREVENTION AND RESPONSE (II.A.8)</b>	
(a) Spill Response Task Group. Permitted entities shall participate in an interagency spill response task group, to ensure that a coordinated response to spills is achieved, and impacts upon aquatic resources from spilled pollutants are controlled to the MEP.	— Upon the effective date of the permit or a maximum of one year from the effective date of the permit. Summary reports to be incorporated in each annual report.
<b>INDUSTRIAL AND HIGH RISK RUNOFF (II.A.9)</b>	
(a) Database of Facilities. Permitted entities shall develop and maintain a database of priority industrial sites based on the above criteria.	— Within one year of the effective date of the permit.
(b) Inspection and Monitoring of High Risk Facilities. Permitted entities shall work together to inspect and monitor such facilities for compliance with the storm water ordinance and the NPDES industrial storm water general permit.	— Inspection program to be developed and implementation begun within one year of the effective date of the permit.

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<b>TABLE III.A.</b> <b>Storm Water Management Program — Schedules for Implementation and Compliance</b>	
<b>STORM WATER MANAGEMENT PROGRAM COMPONENT</b>	<b>COMPLIANCE DATE</b>
(c) Educational Materials. The distribution of the storm water commercial and industrial Best Management Practices (BMPs) guidance document shall be continued.	— Upon the effective date of the permit.
(d) Coordination with City Pretreatment Program. Permitted entities shall meet with representatives of the City of Boise pretreatment inspection program to formalize, develop, and implement, an inspection program of such high risk industrial, and other commercial, facilities in conjunction with pretreatment inspections. The agreement shall be based on a binding memorandum of understanding (MOU), or its equivalent.	— The MOU, or equivalent agreement, shall be finalized no later than one year from the date of the effective date of the permit.
<b>CONSTRUCTION SITE RUNOFF (II.A.10)</b>	
(a) Construction Site Discharge Control Program. Permitted entities shall implement the Construction Site Discharge Control Program.	— Upon the effective date of the permit.
(b) Inspection and Compliance. Permitted entities shall conduct inspections of construction sites to ensure compliance with the measures outlined in II.A.10(a).	— Upon the effective date of the permit.
(c) Database and Record Keeping. Permitted entities shall maintain a database of all active and completed construction sites within their jurisdiction.	— Database to be developed and utilized within one year of the effective date of the permit.

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<b>TABLE III.A.</b> <b>Storm Water Management Program — Schedules for Implementation and Compliance</b>	
<b>STORM WATER MANAGEMENT PROGRAM COMPONENT</b>	<b>COMPLIANCE DATE</b>
<b>PUBLIC EDUCATION (II.A.11)</b>	
<p>(a) Public Education Program. The plan shall include :</p> <p>(i) the distribution of public education materials to householders regarding the correct use and disposal of household hazardous chemical substances, used motor oil and similar substances, and to publicize the existence, whereabouts, opening hours, etc. of the household hazardous waste collection facilities. Permitted entities shall operate the household hazardous waste collection facilities.</p> <p>(ii) Permitted entities shall continue the program of stenciling storm water inlets and drains to make the public aware of where the drains discharge,</p> <p>(iii) the implementation of “Water Awareness Week” to explain the importance of maintaining clean water resources to school teachers and students and the “Adopt-a-Creek” program,</p> <p>(iv) Permitted entities will promote the collection and/or composting of yard wastes from residential and commercial sites. Permitted entities shall promote the “Keep watershed clean” campaign, and to distribute copies of flyers previously developed, including but not limited to, the Storm Water Ordinance, RiverCare Tips, and the Storm Water Trooper bookmark,</p> <p>(v) Permitted entities shall distribute the Storm Water Commercial and Industrial BMPs handbook to commercial and industrial facilities identified as priorities due to the nature of the industrial and commercial activities to be found at such sites. The city shall make available the Storm Water Landscapes booklet to other facilities and make developers and contractors aware of the existence of such information,</p> <p>(vi) Permitted entities shall document complaints received from the general public regarding violations to the storm water ordinance, to follow up on such complaints, and detail actions taken.</p>	<p>— Upon the effective date of the permit.</p>

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## PART IV. MONITORING AND REPORTING REQUIREMENTS

### A. STORM EVENT DISCHARGES

1. Permitted entities shall implement the wet-weather monitoring program for the MS4 as described in the 'Boise NPDES Municipal Storm Water Permit Monitoring Plan,' (Ada County Highway District, June 1998). This program shall provide data necessary to:
  - c assess the effectiveness and adequacy of control measures implemented under the SWMP;
  - c estimate annual cumulative pollutant loadings from the MS4;
  - c estimate event mean concentrations and seasonal pollutants in discharges from major outfalls;
  - c identify and prioritize portions of the MS4 requiring additional controls, and identify water quality improvements or degradation.

The permitted entities are responsible for conducting any additional monitoring necessary to accurately characterize the quality and quantity of pollutants discharged from the MS4. Improvement in the quality of discharges from the MS4 will be assessed based on the monitoring information required by this section, plus any additional monitoring conducted by the permitted entities.

2. A minimum of three storm events per site per permit year shall be analyzed for the parameters listed in Table IV.A. The samples shall be collected from five (5) sites located throughout the jurisdiction of the permitted entities. These sites are identified in Table IV.B. Alternate representative monitoring locations may be substituted for just cause during the term of the permit. Requests for approval of alternate monitoring locations shall be made to the EPA in writing and include the rationale for the requested monitoring station relocation. Unless disapproved by the Water Office Director, use of an alternate monitoring location may commence thirty days from the date of the request.

- a. *Sample Type, Collection, and Analysis:* The following requirements apply only to samples collected for Part IV.A.

- (1) For discharges from holding ponds or other impoundments with a retention period greater than 24 hours, (estimated by dividing the volume of the detention pond by the estimated volume of water discharged during the 24 hours previous to the time that the sample is collected) a minimum of one grab sample may be taken.
- (2) Grab samples taken during the first two hours of discharge shall be used for the analysis (if required) of pH, temperature, cyanide, oil & grease, fecal coliform, fecal streptococcus, total phenols, residual chlorine, and volatile organics. For all other parameters, data shall be reported for flow weighted composite samples of the entire event or, at a minimum, the first three hours of discharge.
- (3) All such samples shall be collected from the discharge resulting from a storm event that is greater than 0.1 inches in magnitude and that occurs at least 72 hours from the previously measurable (greater than 0.1 inch rainfall) storm event. Composite samples may be taken with a continuous sampler or as a combination of a minimum of three sample aliquots taken in each hour of

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- discharge for the entire discharge or for the first three hours of the discharge, with each aliquot being separated by a minimum period of fifteen minutes.
- (4) Analysis and collection of samples shall be done in accordance the methods specified at 40 CFR Part 136. Where an approved Part 136 method does not exist, and other test procedures have not been specified, any available method may be used after approval from EPA.
- b. Quality Assurance Plan:
- (1) Permitted entities shall develop a Quality Assurance Plan (QAP) for all monitoring requirements identified in the permit. The plan shall be completed and implemented within **120 days of the effective date of the permit**.
- (2) At a minimum, the plan shall include the following:
- c Protocols for sampling techniques (field blanks, replicates, duplicates, control samples, etc.),
  - c Sample preservation methods,
  - c Sample shipment procedures,
  - c Instrument calibration procedures and preventive maintenance (frequency, standard, spare parts),
  - c Qualification and training of personnel, and
  - c Analytical test methods with associated method detection limits (when not prescribed in Table IV.A) and quality control checks.
- (3) Throughout all sample collection and analysis activities, permitted entities shall use the EPA approved quality assurance, quality control, and chain-of-custody procedures described in: *Requirements for Quality Assurance Project Plans*, EPA QA/R-5 and *Guidance on Quality Assurance Project Plans*, EPA QA/G-5. These documents are available on the EPA Region 10 website at: <http://www.epa.gov/r10earth/offices/oea/r10qahome.htm> or available by mail at:
- Quality and Data Management Program  
Office of Environmental Assessment  
U.S. EPA, Region 10  
1200 6th Avenue, OEA-095  
Seattle, Washington 98101
- (4) Permitted entities shall amend the QAP whenever there is a modification in sample collection, sample analysis, or other procedure addressed by the QAP.
- (5) Copies of the QAP shall be kept on site and made available to EPA and/or Idaho Division of Environmental Quality (IDEQ) upon request.
- c. *Sampling Waiver*. When a discharger is unable to collect samples required by Part IV.A. due to adverse climatic conditions, the discharger must submit in lieu of sampling data a description of why samples could not be collected, including available documentation of the event. Adverse climatic conditions which may prohibit the collection of samples includes weather conditions that create dangerous conditions for personnel (such as local flooding, high winds, blizzards, tornadoes, electrical storms, etc.) or otherwise make the collection of a sample impracticable (drought, extended frozen conditions, etc.).
- d. *Storm Event Data*: For Part IV.A, quantitative data shall be collected to estimate pollutant loadings and event mean concentrations for each parameter sampled. In

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addition to the parameters listed above, the permitted entities shall maintain records of the date and duration (in hours) of the storm event(s) sampled; rainfall measurements or estimates (in inches) of the storm event which generated the sampled runoff; the duration (in hours) between the storm event sampled and the end of the previous measurable (greater than 0.1 inch rainfall) storm event ; and an estimate of the total volume (in gallons) of the discharge sampled.

**Table IV.A – Representative Monitoring Requirements**

PARAMETER	SAMPLING FREQUENCY
Biochemical Oxygen Demand (BOD <sub>5</sub> ) (mg/l)	3 representative storm events/permit year
Chemical Oxygen Demand (COD) (mg/l)	3 representative storm events/permit year
Dissolved Oxygen (DO) (mg/l)	3 representative storm events/permit year
Total Suspended Solids (TSS) (mg/l)	3 representative storm events/permit year
Total Dissolved Solids (TDS) (mg/l)	3 representative storm events/permit year
Total Kjeldahl Nitrogen (TKN) (mg/l)	3 representative storm events/permit year
Total Phosphorus (mg/l)	3 representative storm events/permit year
Orthophosphate (mg/l)	3 representative storm events/permit year
Oil & Grease (mg/l)	3 representative storm events/permit year
Total Petroleum Hydrocarbons	3 representative storm events/permit year
Arsenic (µg/l) — Total and Dissolved per EPA Method 200.8	3 representative storm events/permit year
Cadmium (µg/l) — Total and Dissolved per EPA Method 200.8	3 representative storm events/permit year
Copper (µg/l) — Total and Dissolved per EPA Method 200.8	3 representative storm events/permit year
Lead (µg/l) — Total and Dissolved per EPA Method 200.8	3 representative storm events/permit year
Mercury (µg/l) — Total and Dissolved per EPA Method 245.1 or 245.2	3 representative storm events/permit year
Nickel (µg/l) — Total and Dissolved per EPA Method 200.8	3 representative storm events/permit year
Zinc (µg/l) — Total per EPA Method 200.8	3 representative storm events/permit year
Organochlorine pesticides	3 representative storm events/permit year
Organophosphate pesticides	3 representative storm events/permit year

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**Table IV.A – Representative Monitoring Requirements**

PARAMETER	SAMPLING FREQUENCY
Fecal coliform, in col/100ml	3 representative storm events/permit year
pH (S.U.)	3 representative storm events/permit year
Discharge, Volume, in cubic feet	3 representative storm events/permit year
Hardness (as CaCO <sub>3</sub> ) (mg/l)	3 representative storm events/permit year
Temperature (EC)	3 representative storm events/permit year
Volatile Organics as per EPA Method 8260	2/year, 2nd and 4th years of permit coverage
Base/Neutral Organics per EPA Method 8270	2/year, 2nd and 4th years of permit coverage
Acid Organics per EPA Method 8270	2/year, 2nd and 4th years of permit coverage
Pesticide Organics per EPA Method 8080	2/year, 2nd and 4th years of permit coverage
Diazinon per EPA Method 622	3/permit year

**Table IV.B – Representative Monitoring Outfall Descriptions**

OUTFALL	LOCATION	RESPONSIBLE PERMITTED ENTITY
001	51-N at Walnut Street	ACHD
002	Lucky Drive	ACHD
003	Koppel's	ACHD
004	Franklin Road	ACHD
005	Production Avenue	ACHD

## **B. SEDIMENT ANALYSIS**

1. An analysis of sediments and decant water collected from storm water catch basins. The samples shall be collected from catch basins representing residential, commercial, and industrial land uses, therefore a minimum of three sites shall be selected. The location and the rationale behind why the site was chosen shall be submitted to the address in Section IV.G **within six months of the effective date of the permit**. A minimum of two samples per permit year shall be collected and analyzed from the representative catch basins. Based upon the results obtained, permitted entities shall assess whether two samples per year can adequately characterize the wastes within the catch basin. Permitted entities shall report their findings in the annual reports following the years' activity. Analysis and collection of samples shall be done in accordance the methods specified at 40 CFR Part 136. Where an approved Part 136 method does not exist, any available method may be used. The following are to be sampled as part of this program: total suspended solids, total phosphorous, ortho-phosphorous, total petroleum hydrocarbons, poly-aromatic hydrocarbons, volatile organic compounds,

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fecal coliform, *e. coli*, copper, lead, arsenic, cadmium, chromium, nickel, zinc. Permitted entities shall use the results from the analyses as part of an assessment of the best management practices employed as part of the storm water management program outlined in II.A.1 through 11. Permitted entities shall coordinate amongst themselves to ensure that results are disseminated and to ensure that personnel representing all of the departments and agencies having a role in the storm water management program are aware of the findings. In addition, permitted entities shall report all findings, and actions taken as a result of the findings, in the annual report.

### **C. FLOATABLES**

1. Permitted entities shall establish two monitoring locations for removal of floatable material in discharges to or from the MS4. Floatable material shall be collected at the frequency necessary for maintenance of the removal devices, but not less than twice per year. The amount of material collected shall be estimated in cubic yards.
  - a. Shall submit, within the annual report required by Part IV.E, the following information:
    - (1) Percent of MS4 screened during the year and the cumulative percent of system screened;
    - (2) An estimate of the amount of floatable material collected (cubic yards);
    - (3) A summary of results and actions taken or proposed based on the results of the wet weather screening program.

### **D. DRY WEATHER DISCHARGES**

1. *Dry Weather Screening Program:* Permitted entities shall continue ongoing efforts to detect the presence of illicit connections and improper discharges to the MS4. Permitted entities shall ensure compliance with the program element to assess 20% of major outfalls per permit year.
2. *Follow-up on Dry Weather Screening Results:* Permitted entities shall implement a program to locate and eliminate suspected sources of illicit connections and improper disposal identified during dry weather screening activities. Each year's results shall be included in the corresponding annual report. Follow-up activities should be prioritized on the basis of:
  - a. magnitude and nature of the suspected discharge;
  - b. sensitivity of the receiving water; and
  - c. other relevant factors.

### **E. ANNUAL REPORT**

1. Within one (1) year of the effective date of this Permit, and annually thereafter, Permittees shall prepare and submit to EPA and IDEQ an Annual Report. In addition, copies of all annual reports shall be available to the public through the municipal library

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system. The Annual Report shall be mailed to the addresses found at Part IV.G. of this Permit and shall include, at a minimum:

- a. The status of implementing the components of the Storm Water Management Program that are established as Permit conditions;
  - b. Proposed changes to the Storm Water Management Program required by this Permit. Such proposed changes shall be consistent with 40 CFR § 122.26(d)(2);
  - c. Revisions, if necessary, to the assessments of controls and the fiscal analysis reported in the Part 2 of the Permit Application;
  - d. A summary of the data, including monitoring data, that Permittees accumulated throughout the reporting year;
  - e. Annual expenditures and budget for the year following each annual report;
  - f. A summary describing the number and nature of enforcement actions, inspections, and public education programs, including copies of all educational materials distributed in conjunction with efforts to reduce pollutant discharges to the MS4;
  - g. Identification of water quality improvements or degradation; and
  - h. All other information required by this Permit to be submitted with the Annual Report.
2. Preparation and submittal of a system-wide annual report shall be coordinated by **Ada County Highway District**. The report shall indicate which, if any, permitted entities have failed to provide required information on those portions of the MS4 for which they are responsible, by 45 days prior to the report due date. Joint responsibility for report submission shall be limited to participation in preparation of the overview for the entire system and inclusion of the identity of any permitted entity who failed to provide input to the annual report. Each individual permitted entity shall be individually responsible for content of the report relating to the portions of the MS4 for which they are responsible and for failure to provide information for the system-wide annual report in a timely manner.

**F. CERTIFICATION AND SIGNATURE OF REPORTS.** All reports required by the permit and other information requested by the Water Office Director shall be signed and certified in accordance with Parts V.K. and V.L. of the permit.

**G. REPORTING.**

1. Monitoring results obtained during the reporting period during each successive permit year shall be submitted on Discharge Monitoring Report Form(s) along with the annual report required by Part IV.E. A separate Discharge Monitoring Report Form is required for each event monitored.
2. Signed copies of discharge monitoring reports required under Part IV.G, the annual report required by Part IV.E., requests for SWMP modification, requests for changes in monitoring locations, and all other reports required herein, shall be submitted to:

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U.S. EPA, Region 10  
Office of Water  
NPDES Compliance Unit (OW-133)  
1200 6th Avenue  
Seattle, Washington 98101

Idaho Division of Environmental Quality  
1410 N. Hilton Street  
Boise, Idaho 98706-1256

## **PART V. STANDARD PERMIT CONDITIONS.**

**A. DUTY TO COMPLY.** Except as provided in permit conditions in Part V.M Bypass of Treatment Facilities and Part V.N Upset Conditions, nothing in this permit shall be construed to relieve the permittee of the civil or criminal penalties for noncompliance.

1. Civil and Administrative Penalties. Any person who violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA shall be subject to a civil or administrative penalty, not to exceed the maximum amounts authorized by Sections 309(d) and 309(g) of the CWA and the Federal Civil Penalties Inflation Adjustment Act (28 U.S.C. § 2461 note) as amended by the Debt Collection Improvement Act (31 U.S.C. § 3701 note).
2. Criminal Penalties:
  - a. Negligent Violations. Any person who negligently violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA shall, upon conviction, be punished by a fine and/or imprisonment as specified in Section 309(c)(1) of the CWA.
  - b. Knowing Violations. Any person who knowingly violates a permit condition implementing Sections 301, 302, 306, 307, 308, 318, or 405 of the CWA shall, upon conviction, be punished by a fine and/or imprisonment as specified in Section 309(c)(2) of the CWA.
  - c. Knowing Endangerment. Any person who knowingly violates a permit condition implementing Sections 301, 302, 303, 306, 307, 308, 318, or 405 of the CWA, and who knows at that time that he thereby places another person in imminent danger of death or serious bodily injury, shall, upon conviction, be subject to a fine and/or imprisonment as specified in Section 309(c)(3) of the CWA.
  - d. False Statements. Any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under this CWA or who knowingly falsifies, tampers with, or renders inaccurate any monitoring device or method required to be maintained under this CWA, shall, upon conviction, be punished by a fine and/or imprisonment as specified in Section 309(c)(4) of the CWA.

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- B. DUTY TO REAPPLY.** If permitted entities wish to continue an activity regulated by this permit after the expiration date of this permit, such entities must apply for and obtain a new permit. The reapplication package shall be submitted to EPA at least **180 days before the expiration date** of the permit or may be submitted in conjunction with the **fourth annual report**. The reapplication package shall contain the information required of 40 CFR 122.21(f) which includes: name and mailing address(es) of the permittee(s) that operate the MS4, and names and titles of the primary administrative and technical contacts for the municipal permittee(s). In addition, permittees shall identify any previously unidentified water bodies that receive discharges from the MS4, a summary of any known water quality impacts on the newly identified receiving waters, a description of any changes in co-applicants, and the identification number of the existing NPDES MS4 permit. The reapplication package may incorporate by reference the fourth annual report when the reapplication requirements can found within such report.
- C. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE.** It shall not be a defense for a permitted entity in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.
- D. DUTY TO MITIGATE.** Permitted entities shall take all reasonable steps to minimize or prevent any discharge or sludge use or disposal in violation of this permit which has a reasonable likelihood of adversely affecting human health or the environment.
- E. PROPER OPERATION AND MAINTENANCE.** Each permitted entity shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by permitted entities to achieve compliance with the conditions of this permit. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems which are installed by permitted entities only when the operation is necessary to achieve compliance with the conditions of the permit.
- F. PROPERTY RIGHTS.** This permit does not convey any property rights of any sort, or any exclusive privilege.
- G. DUTY TO PROVIDE INFORMATION.** Permitted entities shall furnish to the Water Office Director, within a reasonable time, any information which the Water Office Director may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit or to determine compliance with this permit. Permitted entities shall also furnish to the Water Office Director upon request, copies of records required to be kept by this permit.
- H. INSPECTION AND ENTRY.** Permitted entities shall allow the Water Office Director, or an authorized representative (including an authorized contractor acting as a representative of the Administrator), upon presentation of credentials and other documents as may be required by law, to:
1. Enter upon permitted entities' premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;

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2. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
4. Sample or monitor at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the Clean Water Act, any substances or parameters at any location.

**I. MONITORING AND RECORDS.**

1. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity.
2. The permittee shall retain records of all monitoring information, including, but not limited to, all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports required by this permit, copies of Discharge Monitoring Reports (DMRs), a copy of the NPDES permit, and records of all data used to complete the application for this permit, for a period of at least five years from the date of the sample, measurement, report or application, or for the term of this permit, whichever is longer. This period may be extended by request of the Director or IDEQ at any time.
3. Records of monitoring information shall include:
  - a. The date, exact place, and time of sampling or measurements;
  - b. The individual(s) who performed the sampling or measurements;
  - c. The date(s) analyses were performed;
  - d. The individual(s) who performed the analyses;
  - e. The analytical techniques or methods used; and
  - f. The results of such analyses.

**J. SIGNATORY REQUIREMENT.** All applications, reports or information submitted to the Director and IDEQ shall be signed and certified.

1. All permit applications shall be signed as follows:
  - a. For a corporation: by a responsible corporate officer.
  - b. For a partnership or sole proprietorship: by a general partner or the proprietor, respectively.
  - c. For a municipality, state, federal, or other public agency: by either a principal executive officer or ranking elected official.

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2. All reports required by the permit and other information requested by the Director or IDEQ shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
  - a. The authorization is made in writing by a person described above and submitted to the Director and IDEQ, and
  - b. The authorization specifies either an individual or a position having responsibility for the overall operation of the regulated facility or activity, such as the position of plant manager, operator of a well or a well field, superintendent, position of equivalent responsibility, or an individual or position having overall responsibility for environmental matters for the organization.
3. Changes to authorization. If an authorization under Part V.J.2 is no longer accurate because a different individual or position has responsibility for the overall operation of the facility, a new authorization satisfying the requirements of Part V.J.2. must be submitted to the Regional Administrator and IDEQ prior to or together with any reports, information, or applications to be signed by an authorized representative.

**K. CERTIFICATION.** Any person signing documents under this section shall make the following certification:

“I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.”

**L. REPORTING REQUIREMENTS.**

1. Planned changes. Permitted entities shall give notice to the Water Office Director as soon as possible of any planned physical alterations or additions to the permitted facility. Notice is required only when:
  - a. The alteration or addition to a permitted facility may meet one of the criteria for determining whether a facility is a new source in 40 CFR § 122.29(b); or
  - b. The alteration or addition could significantly change the nature or increase the quantity of pollutants discharged. This notification applies to pollutants which are subject neither to effluent limitations in the permit, nor to notification requirements under 40 CFR § 122.42(a)(1).
  - c. The alteration or addition results in a significant change in permitted entities' sludge use or disposal practices, and such alteration, addition, or change may justify the application of permit conditions that are different from or absent in the existing permit,

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including notification of additional use or disposal sites not reported during the permit application process or not reported pursuant to an approved land application plan;

2. Anticipated noncompliance. Permitted entities shall give advance notice to the Water Office Director of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements.
3. Transfers. This permit may be automatically transferred to a new permittee if:
  - a. The current permittee notifies the Director at least 30 days in advance of the proposed transfer date;
  - b. The notice includes a written agreement between the existing and new permittees containing a specific date for transfer of permit responsibility, coverage, and liability between them; and
  - c. The Director does not notify the existing permittee and the proposed new permittee of his or her intent to modify, or revoke and reissue the permit.

If the notice described in paragraph c above is not received, the transfer is effective on the date specified in the agreement mentioned in paragraph b above.

4. Monitoring reports. Monitoring results shall be reported at the intervals specified elsewhere in this permit.
  - a. Monitoring results must be reported on a DMR or forms provided or specified by the Water Office Director for reporting results of monitoring of sludge use or disposal practices.
  - b. If permitted entities monitors any pollutant more frequently than required by the permit using test procedures approved under 40 CFR Part 136 or as specified in the permit, the results of this monitoring shall be included in the calculation and reporting of the data submitted in the DMR specified by the Water Office Director.
  - c. Calculations for all limitations which require averaging of measurements shall utilize an arithmetic mean unless otherwise specified by the Water Office Director in the permit.
5. Compliance schedules. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than 14 days following each schedule date.
6. Twenty-four hour reporting.
  - a. Permitted entities shall report any noncompliance which may endanger health or the environment. Any information shall be provided orally within 24 hours from the time permitted entities become aware of the circumstances. A written submission shall also be provided within 5 days of the time permitted entities become aware of the

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circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

- b. The following shall be included as information which must be reported within 24 hours under this paragraph.
  - (1) Any unanticipated bypass which exceeds any effluent limitation in the permit.
  - (2) Any upset which exceeds any effluent limitation in the permit.
  - (3) Violation of a maximum daily discharge limitation for any of the pollutants listed by the Water Office Director in the permit to be reported within 24 hours. (See 40 CFR § 122.44(g)).
    - i. The Water Office Director may waive the written report on a case-by-case basis for reports under Part V.L.6.b of this permit if the oral report has been received within 24 hours.
    - ii. Other noncompliance. Permitted entities shall report all instances of noncompliance not reported under Parts V.L.4-6 of this permit at the time monitoring reports are submitted. The reports shall contain the information listed in Part V.L.6 of this permit.
    - iii. Other information. Where permitted entities become aware that permitted entities failed to submit any relevant facts in a permit application, or submitted incorrect information in a permit application or in any report to the Water Office Director, permitted entities shall promptly submit such facts or information.

## **M. BYPASS**

- 1. Definitions.
  - a. Bypass means the intentional diversion of waste streams from any portion of a treatment facility.
  - b. Severe property damage means substantial physical damage to property, damage to the treatment facilities which causes them to become inoperable, or substantial and permanent loss of natural resources which can reasonably be expected to occur in the absence of a bypass. Severe property damage does not mean economic loss caused by delays in production.
- 2. Bypass not exceeding limitations. Permitted entities may allow any bypass to occur which does not cause effluent limitations to be exceeded, but only if it also is for essential maintenance to assure efficient operation. These bypasses are not subject to the provisions of Parts V.M.3 and 4 of this permit
- 3. Notice
  - a. Anticipated bypass. If permitted entities know in advance of the need for a bypass, permitted entities shall submit prior notice, if possible at least ten days before the date of the bypass.

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- b. Unanticipated bypass. Permitted entities shall submit notice of an unanticipated bypass as required in Part V.L.6 of this permit (24-hour notice).
4. Prohibition of bypass.
- a. Bypass is prohibited, and the Water Office Director may take enforcement action against a permitted entity for bypass, unless:
    - (1) Bypass was unavoidable to prevent loss of life, personal injury, or severe property damage;
    - (2) There were no feasible alternatives to the bypass, such as the use of auxiliary treatment facilities, retention of untreated wastes, or maintenance during normal periods of equipment downtime. This condition is not satisfied if adequate back-up equipment should have been installed in the exercise of reasonable engineering judgment to prevent a bypass which occurred during normal periods of equipment downtime or preventive maintenance; and
    - (3) Permitted entities submitted notices as required under Part V.M.3 of this permit.
  - b. The Water Office Director may approve an anticipated bypass, after considering its adverse effects, if the Water Office Director determines that it will meet the three conditions listed above in Part V.M.4.a of this permit.

#### **N. UPSET**

1. Definition. Upset means an exceptional incident in which there is unintentional and temporary noncompliance with technology based permit effluent limitations because of factors beyond the reasonable control of permitted entities. An upset does not include noncompliance to the extent caused by operational error, improperly designed treatment facilities, inadequate treatment facilities, lack of preventive maintenance, or careless or improper operation.
2. Effect of an upset. An upset constitutes an affirmative defense to an action brought for noncompliance with such technology based permit effluent limitations if the requirements of Part V.N.3 of this permit are met. No determination made during administrative review of claims that noncompliance was caused by upset, and before an action for noncompliance, is final administrative action subject to judicial review.
3. Conditions necessary for a demonstration of upset. A permitted entity who wishes to establish the affirmative defense of upset shall demonstrate, through properly signed, contemporaneous operating logs, or other relevant evidence that:
  - a. An upset occurred and that permitted entities can identify the cause(s) of the upset;
  - b. The permitted facility was at the time being properly operated;
  - c. Permitted entities submitted 24-hour notice of the upset as required in Part V.L.6 of this permit (24-hour notice); and
  - d. Permitted entities complied with any remedial measures required under Part V.D of this permit.

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4. Burden of proof. In any enforcement proceeding permitted entities seeking to establish the occurrence of an upset has the burden of proof.

**O. SEVERABILITY.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.

**P. STATE AND ENVIRONMENTAL LAWS.**

1. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve permitted entities from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Section 510 of the Clean Water Act, 33 U.S.C. § 1370.
2. Nothing in this permit shall be construed to relieve permitted entities of their obligation to comply in full with all state and federal environmental statutes and regulations.

**Q. ADDITIONAL MONITORING BY PERMITTED ENTITIES.** If permitted entities monitor more frequently than required by this permit, using test procedures approved under 40 CFR Part 136, or equivalent, or as specified in this permit, the results of this monitoring shall be included with the data submitted as part of the annual report required by Part IV.G. of this permit.

**PART VI. PERMIT MODIFICATION**

**A. MODIFICATION OF THE PERMIT.** The permit may be modified, revoked and reissued, or terminated during the life of the permit at the request of any interested person (including a permitted entity) or upon EPA initiative. Any modification, revocation and reissuance, or termination of the permit will be made in accordance with 40 CFR §§122.62, 122.63, 122.64 and 124.5. Causes for modification include new information that was not available at the time of permit issuance that would have justified the application of different permit conditions, including, but not limited to:

1. changes in the State's Water Quality Management Plan, including Water Quality Standards;
2. changes in State or Federal statutes or regulations; or
3. monitoring results indicating that the discharges authorized by this permit are causing unacceptable environmental effects.

The filing of a request by permitted entities for a permit modification, revocation and reissuance, or termination, or a notification of planned changes or anticipated noncompliance does not stay any permit condition.

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- B. TERMINATION OF COVERAGE FOR A SINGLE PERMITTED ENTITY.** Permit coverage may be terminated, in accordance with the provisions of 40 CFR §§122.64 and 124.5, for a single permitted entity without terminating coverage for other permitted entities.

## **PART VII. DEFINITIONS**

The following definitions apply to this permit. Except as otherwise specifically provided, terms used in this permit but not defined by this Part shall have the meaning ascribed to them by Section 502 of the Clean Water Act (33 U.S.C. § 1362), 40 CFR § 122.2, and 40 CFR § 122.26(b). These statutory and regulatory definitions are incorporated herein by reference. Some of the statutory and regulatory term definitions are included here for convenience.

“Best Management Practices” means schedules of activities, prohibitions of practices, maintenance procedures, and other management practices to prevent or reduce the pollution of waters of the United States. BMPs also include treatment requirements, operating procedures, and practices to control facility site runoff, spillage or leaks, sludge or waste disposal, or drainage from raw material storage.

“BMPs” is an acronym for Best Management Practices.

“Bypass” means the intentional diversion of waste streams from any portion of a treatment facility.

“CWA” means Clean Water Act (also referred to as the Federal Water Pollution Control Act or Federal Water Pollution Control Act Amendments of 1972) Pub.L. 92-500, as amended Pub. L. 95-217, Pub. L. 95-576, Pub. L. 96-483, and Pub. L. 97-117, 33 U.S.C. 1251 et. seq.

“Discharge” means discharge from the Municipal Separate Storm Sewer System (MS4).

“Flow-weighted composite sample” means a composite sample consisting of a mixture of aliquots collected at a constant time interval, where the volume of each aliquot is proportional to the flow rate of the discharge.

“Illicit connection” means any man-made conveyance connecting an illicit discharge directly to a municipal separate storm sewer.

“Illicit discharge” means any discharge to a municipal separate storm sewer that is not composed entirely of storm water except discharges pursuant to a NPDES permit (other than the NPDES permit for discharges from the municipal separate storm sewer) and discharges resulting from fire fighting activities.

“Individual Residence” means a single or multi-family residences (e.g., single family homes and duplexes, town homes, apartments, etc.).

“Landfill” means an area of land or an excavation in which wastes are placed for permanent disposal, and which is not a land application unit, surface impoundment, injection well, or waste pile.

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“Land application unit” means an area where wastes are applied onto or incorporated into the soil surface (excluding manure spreading operations) for treatment or disposal.

“Major Outfalls,” means municipal separate storm sewer outfalls that discharge from a single pipe with an inside diameter of 36 inches or more or its equivalent (discharge from a single conveyance other than circular pipe which is associated with a drainage area of more than 50 acres); or for municipal separate storm sewers that receive storm water from lands zoned for industrial activity (based on comprehensive zoning plans or the equivalent), outfalls that discharge from a single pipe with an inside diameter of 12 inches or more or its equivalent (discharge from other than a circular pipe associated with a drainage area of 2 acres or more).

“Maximum Extent Practicable,” is the technology-based discharge standard for municipal separate storm sewer systems established by CWA §402(p).

“MEP,” is an acronym for “Maximum Extent Practicable.”

“MS4” is an acronym for “municipal separate storm sewer system.”

“Municipal Separate Storm Sewer System” means the system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels, or storm drains): (i) owned or operated by the permitted entities; (ii) designed or used for collecting or conveying storm water; (iii) which is not part of a combined sewer; and (iv) which is not part of a Publically Owned Treatment Works (POTW) as defined at 40 CFR 122.2.

“Permitted entity” refers to any “person,” as defined at 40 CFR 122.2, authorized by this NPDES permit to discharge to Waters of the United States.

“Storm sewer”, unless otherwise indicated, refers to a municipal separate storm sewer.

“Storm Water” means storm water runoff, snow melt runoff, and surface runoff and drainage.

“Storm Water Management Program” means the SWMP required by Part II of the permit.

“SWMP” is an acronym for “Storm Water Management Program.”

“Time-weighted composite” means a composite sample consisting of a mixture of equal volume aliquots collected at a constant time interval.

“Water Office Director” means the Director of the Office of Water United States Environmental Protection Agency, Region 10, or an authorized representative of the Director.

“Waters of the United States” is defined at 40 CFR 122.2.

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# APPENDIX A - PERMITTED ENTITIES RESPONSIBILITY MATRIX

## BEST MANAGEMENT PRACTICES FOR THE STORM WATER MANAGEMENT PLAN

### CO-APPLICANT LEVEL OF INVOLVEMENT\*

BMPS		ACHD	City of Boise	Boise State University	Idaho. Trans. Department	Drainage District #3	Garden City
<b>EDUCATION</b>							
1	Develop comprehensive public education and information program which addresses the following practices: --proper low-volume [e.g., household] use of pesticides and fertilizers to reduce water quality impacts --high volume use of pesticides and fertilizers by municipal and private facilities [e.g., golf courses, cemeteries, parks] --storm water quality impacts that result from littering --advantages of composting yard debris --need for regular inspections of cars and light trucks to prevent leaks or spills --impacts that result from dumping or improper disposal of oil, antifreeze, solvents, paints, etc. --relationship between air pollution and storm water quality impacts	P	L	P	P	P	L
2	Develop a program to educate architects, landscape architects, engineers, and public agency personnel about architectural, structural, and development design practices which reduce negative water quality impacts to streams and the storm system [e.g., development practices which reduce the need for fertilizers and pesticides during the life of the project]. Improve technical guidance which will facilitate compliance with regulations requiring water quality controls [e.g., oil/grease traps, plate separators, synthetic absorbent media, grassy swales].	P	L	P	P	P	L
3	Educate the distributors of pesticides and fertilizers about storm water quality impacts and encourage them to educate the public about the proper use and management of the products. Develop education re: proper fertilizer/pesticide application for common landscape grasses and plants.	N	L	N	N	N	L
4	Promote public involvement in "Keep Watershed Clean" campaigns and "adopt-a-creek" programs for specific waterways.	N	L	P	N	P	L
5	Facilitate efforts to report illegal dumping, illicit connections, and other incidents. Work with citizen action groups, operate a telephone "hotline" for citizens to report incidents, and post signs at areas where illegal dumping may occur that encourages citizens to report incidents.	P	L	P	P	P	L
6	Label [stencil] storm drain inlets. Encourage volunteer assistance where feasible.	P	L	P	P	P	L
7	Educate owners and operators of trucks about the impacts of leaks, spills, and other releases from bulk materials during transportation [pollution effects of materials that are spilled onto roadways, parking lots, or other open spaces being washed into storm sewers or waterways]. Review current requirements to ensure that municipal trucks and private contractors hauling materials do not leak, spill, or otherwise release contaminants.	P	L	P	P	P	L
8	Educate commercial/industrial sector regarding the effective use of "good housekeeping" practices to reduce pollutants, the need to keep rainfall and runoff from contacting potential contaminants, and the environmental impacts resulting from leaks and spills of gasoline, fuel oil, and chemical tanks [above and below ground].	P	L	P	N	P	L

\*KEY FOR LEVEL OF INVOLVEMENT:

L=LEAD AGENCY, P=PARTICIPATING AGENCY, N=NOT INVOLVED

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## BEST MANAGEMENT PRACTICES FOR THE STORM WATER MANAGEMENT PLAN

### CO-APPLICANT LEVEL OF INVOLVEMENT\*

BMPS		ACHD	City of Boise	Boise State University	Idaho Trans. Department	Drainage District #3	Garden City
<b>INSPECTION/ENFORCEMENT</b>							
1	Develop and implement a program to reduce illegal dumping or routinely discharging pollutants into storm sewers, drainage channels, and rivers or streams.	L	P	N	P	P	P
2	Develop and implement an aggressive field program to search for, detect, and eliminate illicit connections [including sanitary and industrial wastewaters].	L	P	P	P	P	P
3	Implement a comprehensive pollutant discharge control program for all construction sites which includes expanding erosion control policy and requirements area-wide, addressing discharge of all pollutants, increasing and prioritizing inspection and enforcement activities, and educating all affected groups [architects, engineers, contractors, public agency staff]. For each construction site, consider the nature of the activity, topography, characteristics of soils and receiving water quality.	P	P	P	P	P	P
<b>MONITORING</b>							
1	Develop a program to address the NPDES regulation requiring operators of the municipal storm sewer system to monitor storm water discharges from industrial facilities, operating or closed landfills, and treatment, storage, disposal, and/or recovery [TSD] facilities.	L	P	N	N	N	P
2	Analyze sediments collected from storm water facilities to determine whether or not there may be any disposal problems related to the sediments [i.e., Do sediments contain hazardous substances?].	L	P	P	P	P	P
<b>OPERATIONS AND MAINTENANCE</b>							
1	Evaluate existing O&M [and/or landscape management] programs for public right-of-ways and drainage channels and ensure that these programs limit the discharge of pollutants [e.g., sediments, heavy metals, nutrients, pesticides, and fertilizers].	P	P	N	N	P	P
2	Require O&M plans at the time of permitting for storm water facilities on new private development and redevelopment [includes residential, commercial and industrial land uses]. Conduct inspections and follow-up after construction to ensure that approved O&M plans are being followed.	P	P	P	N	P	P
3	Develop comprehensive O&M plan for all public storm water facilities [catch basins, storm sewers, channels and detention basins] which maximize water quality benefits while maintaining flood capacity. Incorporate methods to evaluate overall effectiveness of O&M plans, including optimal frequency for cleaning storm water facilities. Provide a means of recording the observations of field inspection and maintenance personnel and procedures for transferring this information to the appropriate department/agency, so the information can be used to locate and eliminate the source(s) of pollutants.	L	P	P	P	P	P
4	Evaluate ways to reduce pollutant discharges associated with road maintenance and rehabilitation operations. Implement improved programs where appropriate.	P	P	P	P	N	P
5	Improve street sweeping, including improving strategies for applying de-icing materials, limiting material discharge to the sewer system, and establishing a program to pick up [and possibly reuse] sand.	L	N	N	P	N	N
6	Implement programs for proper storage of de-icing materials to prevent materials from entering the storm sewer system [e.g., providing covers and roofs for stockpiled materials]. Research alternatives to salt for use in de-icing.	P	N	P	P	N	N

\*KEY FOR LEVEL OF INVOLVEMENT:

L=LEAD AGENCY, P=PARTICIPATING AGENCY, N=NOT INVOLVED

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# BEST MANAGEMENT PRACTICES FOR THE STORM WATER MANAGEMENT PLAN

## CO-APPLICANT LEVEL OF INVOLVEMENT\*

BMPS		ACHD	City of Boise	Boise State University	Idaho Trans. Department	Drainage District #3	Garden City
<b>PLANNING, POLICY, AND ADMINISTRATION</b>							
1	Establish planting/landscape policies which encourage use of vegetation, either indigenous or imported that are self-sustainable without the need for pesticides or fertilizers.	N	L	N	N	N	L
2	Continue to improve existing Household Hazardous Waste Days which provide convenient means for the public to properly dispose of antifreeze, pesticides, paints, solvents, and other potentially harmful chemicals and waste materials. Recycle the materials if possible.	P	P	P	N	N	P
3	Develop a program for clean-up after structural fires and vehicular accidents which reduces or prevents pollutants and debris from being washed into the storm sewer system.	P	L	P	P	N	L
4	Review, and improve as needed, existing spill prevention and response procedures to reduce or eliminate spills which may be washed into the storm sewer system.	P	L	P	P	P	L
5	Coordinate existing and new investigative efforts [e.g., field screening programs, sampling programs, inspections, and routine maintenance activities], with an information management system [e.g., GIS]. Develop up-to-date inventories and maps of the storm sewer system, including structural facilities	L	P	P	P	P	P
6	Encourage and cooperate with programs [by others] which seek to reduce particulate atmospheric emissions of pollutants from individual, public, commercial, and industrial sources, [e.g., the state's program to control emissions associated with fireplaces and wood-burning stoves, and programs which seek to reduce automobile use by various means].	P	L	P	P	P	L
7	Review and modify, as appropriate, the current planning procedures utilized by the agencies for review and permitting of new development and significant redevelopment. Ensure that all projects [especially flood management projects] assess the impacts on water quality of receiving waters and consider/include storm water treatment facilities as appropriate.	P	P	N	N	P	P
<b>REGULATION</b>							
1	Develop and enforce regulations which give co-applicants legal authority to prevent and eliminate the improper disposal and discharge of pollutants into storm sewers and drainage channels, including illicit connections and illegal dumping. Clarify responsibilities where necessary to ensure effective inter-agency collaboration on observed water quality problems.	P	P	P	P	P	P
2	Develop and enforce regulations and building codes to require water quality controls in areas which are significant sources [e.g., gas stations, automotive shops, commercial/industrial facilities, parking areas, and food service establishments]. Require use of treatment-based controls such as detention, retention, or infiltration facilities [e.g., route parking area runoff through oil/water separator].	P	P	P	N	N	P
3	Require new residential, commercial, industrial developments, and institutional building complexes to have drainage facilities that incorporate on-site detention to assure that neither the total volume of runoff nor the peak rate of discharge to the storm sewer system or drainage channels are increased.	P	P	P	N	P	P

\*KEY FOR LEVEL OF INVOLVEMENT:

L=LEAD AGENCY, P=PARTICIPATING AGENCY, N=NOT INVOLVED

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# BEST MANAGEMENT PRACTICES FOR THE STORM WATER MANAGEMENT PLAN

## CO-APPLICANT LEVEL OF INVOLVEMENT\*

BMPS						
	ACHD	City of Boise	Boise State University	Idaho Trans. Department	Drainage District #3	Garden City
<b>STRUCTURAL</b>						
1 Provide, collect and maintain litter receptacles in strategic public areas and during major public events.	N	P	P	N	N	P
2 Determine the feasibility of retrofitting existing drainage and flood control facilities [e.g., storm sewer inlets, detention basins, drainage channels] to function as water quality facilities. Retrofits could include installation of in-line sediment trap devices, detention facilities or wetlands/riparian vegetation. If feasible, develop plan and implement	L	P	P	P	P	P
3 Review existing street design standards with respect to water quality [e.g., sloped medians may increase infiltration and enhance water quality] and modify as appropriate.	L	P	P	P	N	P

\*KEY FOR LEVEL OF INVOLVEMENT:

L=LEAD AGENCY, P=PARTICIPATING AGENCY, N=NOT INVOLVED

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